

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

|                               |   |                        |
|-------------------------------|---|------------------------|
| VINCENT LEWIS,                | ) |                        |
|                               | ) |                        |
| Plaintiff,                    | ) |                        |
|                               | ) |                        |
| v.                            | ) | Case No. CIV-13-1265-M |
|                               | ) |                        |
| GARFIELD COUNTY JAIL, et al., | ) |                        |
|                               | ) |                        |
| Defendants.                   | ) |                        |

**ORDER**


On June 30, 2015, United States Magistrate Judge Charles B. Goodwin issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging defendants abused him, including tasing him, handcuffing him into a chair while he was naked, and putting him into a room below 50 degrees. Further, plaintiff alleges his requests for mental health treatment were ignored. The Magistrate Judge recommended that defendant Vanisa Gay's Motion for Summary Judgment and Brief in Support [docket no. 25] and defendants Garfield County Jail, Jerry Niles, Rhonda Bradley, and Nancy Stanley's Motion to Dismiss or in the Alternative for Summary Judgment [docket no. 27] be granted because there was no evidence in the record, even construed in favor of plaintiff, that created a genuine question of fact that would prevent the conclusion that plaintiff failed to exhaust his administrative remedies prior to commencing his federal claims against defendants.

The parties were advised of their right to object to the Report and Recommendation by July 21, 2015. A review of the record reveals no objections to the Report and Recommendation have been filed. Accordingly, upon de novo review, the Court:

1. ADOPTS the Report and Recommendation [docket no. 29] issued by the Magistrate Judge on June 30, 2015,

2. GRANTS defendant Vanisa Gay's Motion for Summary Judgment and Brief in Support[docket no. 25] and defendants Garfield County Jail, Jerry Niles, Rhonda Bradley, and Nancy Stanley's Motion to Dismiss or in the Alternative for Summary Judgment [docket no. 27].
3. ORDERS that judgment issue forthwith in favor of defendants Garfield County Jail, Jerry Niles, Rhonda Bradly, Nancy Stanley, Vanisa Gay and against plaintiff Vincent Lewis.

**IT IS SO ORDERED this 4th day of August, 2015.**

  
VICKI MILES-LaGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE